

McBRAYER, McGINNIS, LESLIE & KIRKLAND, <sup>PLLC</sup>  
ATTORNEYS-AT-LAW

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November 19, 2007

Ms. Beth O'Donnell, Executive Director  
Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40602-0615

RECEIVED  
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PUBLIC SERVICE  
COMMISSION

RE: **Application of Cellco Partnership d/b/a Verizon Wireless**  
**Case No. 2007-00363**  
**(Site Name: Ewington)**

Dear Ms. O'Donnell:

Pursuant to the Commission's Order dated November 8, 2007, enclosed herewith please find a copy of the Federal Aviation Administration determination regarding the proposed facility. Please note a determination of no hazard to air navigation was made. Thank you for your attention to this matter.

Sincerely,



W. Brent Rice  
Counsel for Verizon Wireless

WBR/dkw

cc: Amy Harper/Verizon Wireless



Federal Aviation Administration  
Air Traffic Airspace Branch, ASW-520  
2601 Meacham Blvd.  
Fort Worth, TX 76137-0520

Aeronautical Study No.  
2007-ASO-2204-OE

Issued Date: 05/18/2007

Elaine Thompson  
Celco Partnership - ET  
1120 Sanctuary Pkwy, 150  
Alpharetta, GA 30004

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower Ewington  
Location: Mount Sterling, KY  
Latitude: 38-5-3.79 N NAD 83  
Longitude: 83-53-46.15 W  
Heights: 265 feet above ground level (AGL)  
1268 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, a med-dual system - Chapters 4,8(M-Dual),&12.

It is required that the enclosed FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)  
 Within 5 days after the construction reaches its greatest height (7460-2, Part II)

This determination expires on 11/18/2008 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (847) 294 7575. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2007-ASO-2204-OE.

**Signature Control No: 516124-100529330**

(DNE)

Vivian Vilaro  
Technician

Attachment(s)  
Frequency Data

7460-2 Attached

**Frequency Data for ASN 2007-ASO-2204-OE**

<b>LOW FREQUENCY</b>	<b>HIGH FREQUENCY</b>	<b>FREQUENCY UNIT</b>	<b>ERP</b>	<b>ERP UNIT</b>
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W